

Kansas Corporation Commission
Commission Meeting
May 24, 2016
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 SW Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on May 24, 2016 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 SW Arrowhead, Topeka, Kansas.

Present: Chairman Emler, Commissioner Albrecht and Commissioner Apple. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Apple requested that the Penalty Order in Docket #16-TRAM-523-PEN be revised to include gross vehicle weight rating (GVWR) of the Commercial Motor Vehicle. Commissioner Albrecht requested that the Order Setting Procedural Schedule in Docket #16-MDWE-324-TFR to have an attorney from Office of General Counsel be assigned to the docket. Commissioner Apple moved for approval of the Consent Agenda, as amended: All other listed matters as presented for May 24, 2016 on the 4 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Albrecht seconded the motion. Motion was approved.

2. **Other Matters:**

- A. Chairman Emler moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2), for consultation with an attorney, in anticipation of litigation, to obtain legal advice for a period of 10 minutes. Deputy General Counsel, Sam Feather attended the Executive Session. Commissioner Albrecht seconded the motion. Motion was approved.

The Commission moved into Executive Session at 10:03 a.m. and reconvened in public session at 10:13 a.m.

Commissioner Albrecht moved to direct FERC Counsel to file an appeal of FERC's Orders dated September 17, 2015 and May 19, 2016 in Docket No. ER15-2237. Commissioner Apple seconded the motion. Motion was approved.

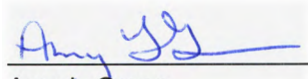
- B. Chairman Emler moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2), for consultation with an attorney, in anticipation of litigation, to obtain legal advice for a period of 30 minutes. Deputy General Counsel, Sam Feather attended the Executive Session. Commissioner Albrecht seconded the motion. Motion was approved.

The Commission moved into Executive Session at 10:16 a.m. and reconvened in public session at 10:46 a.m.

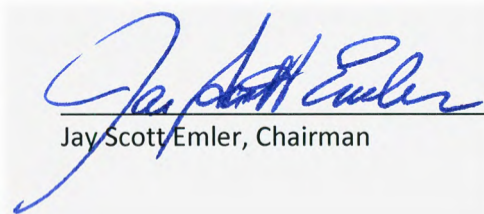
The Commission took no action following the Executive Session.

There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting. Commissioner Apple seconded the motion. The motion was approved. The Commission adjourned the May 24, 2016 Commission Meeting at 10:47 a.m.

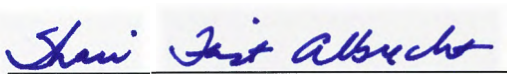
Respectfully submitted,



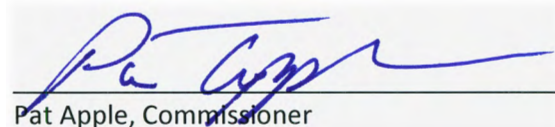
Amy L. Green
Secretary



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Tuesday, May 24, 2016

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Business Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Business Meeting agenda for discussion.

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the Matter of an Investigation to Address CenturyLink's CAF II and KUSF Support. <i>Order Opening Docket to Address CenturyLink's CAF II and KUSF Support</i>	16-GIMT-511-GIT	
2	In the Matter of Craw-Kan Telephone Cooperative, Inc. Tariff Filing Removing SmartPak II and Re-pricing SmartPak Preferred <i>Order Approving Tariff Revisions</i>	16-CRKT-513-TAR	
3	In the Matter of the Application of Rural Telephone Service Company, Inc. Filing Tariff Revisions to Increase Labor for Move Access Line Labor and Removing Six Pack Option from New Subscribers <i>Order Approving Tariff Revisions</i>	16-RRLT-514-TAR	
4	In the Matter of the Application of United Telephone Companies of Kansas, dba CenturyLink, Filing Basket 3 API Calculation Report for the 2016 Annual Price Cap Demand Update <i>Order Approving Annual Price Cap Update for CenturyLink</i>	16-UTDT-498-MIS	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the Application of Kansas City Power & Light Company for Approval of Its 2016 Energy Efficiency Rider Program Costs Incurred January 1 Through December 31, 2015. Order Approving 2016 Energy Efficiency Rider	16-KCPE-439-TAR	
6	In the Matter of the Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the Debt Service Coverage Formula Based Ratemaking Plan Approved in Docket No. 13-MKEE-452-MIS. Corrected Procedural Order	16-SPEE-497-RTS	
7	In the Matter of the Annual Filing of Southern Pioneer Electric Company for Approval to Make Certain Changes to Its Charges for Electric Services, Pursuant to the 34.5kV Formula Based Rate Plan Approved in Docket No. 16-MKEE-023-TAR. Corrected Procedural Order	16-SPEE-501-TAR	
8	In the Matter of the Investigation of Leonia 2 LLC, d/b/a Leonia's Crescent Limousine of Topeka, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Penalty Order	16-TRAM-521-PEN	
9	In the Matter of the Investigation of Ernesto Reyes, d/b/a 503 Express of Garden City, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Penalty Order	16-TRAM-522-PEN	
10	In the Matter of the Investigation of SKC Communication Products, LLC of Shawnee Mission, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. Penalty Order	16-TRAM-523-PEN	
11	In the matter of the failure of Geraldine Alexander ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Geraldine Alexander	16-CONS-4031-CPEN	
12	In the matter of the failure of ARES Energy, Ltd. ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - ARES Energy, Ltd.	16-CONS-4032-CPEN	
13	In the matter of the failure of Bogle Oilfield Services, LLC ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Bogle Oilfield Services, LLC	16-CONS-4033-CPEN	
14	In the matter of the failure of Envision Energy Group ("Operator") to comply with K.A.R. 82-3-120. Penalty Order - Envision Energy Group	16-CONS-4034-CPEN	

Consent Agenda

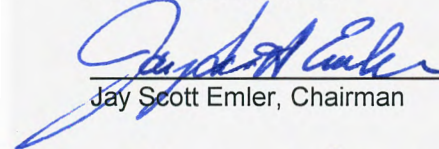
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of the failure of Fontus EOR, LLC ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Fontus EOR, LLC</i>	16-CONS-4035-CPEN	
16	In the matter of the failure of Fuel Source Inc. ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Fuel Source Inc.</i>	16-CONS-4036-CPEN	
17	In the matter of the failure of Freeman E. Jockisch ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Freeman E. Jockisch</i>	16-CONS-4037-CPEN	
18	In the matter of the failure of Quantum Operating Company ("Operator") to comply with K.A.R. 82-3-120. <i>Penalty Order - Quantum Operating Company</i>	16-CONS-4038-CPEN	
19	In the matter of the failure of Concorde Resources Corporation ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the McDaniel #2-12 in Logan County, Kansas. <i>Penalty Order - Concorde Resources Corporation</i>	16-CONS-4039-CPEN	
20	In the matter of the failure of Kansas Petroleum Resources, LLC ("Operator") to comply with K.A.R. 82-3-107 and K.A.R. 82-3-130 at the Sunlight Peak #2 in Pawnee County, Kansas. <i>Penalty Order - Kansas Petroleum Resources, LLC</i>	16-CONS-4040-CPEN	
21	In the matter of the failure of Grunder Oil, LLC ("Operator") to comply with K.A.R. 82-3-602 at the Jenny Lynn #1 well in Stafford County, Kansas. <i>Penalty Order - Grunder Oil, LLC</i>	16-CONS-4041-CPEN	
22	In the matter of the failure of Lebsack Oil Production Inc. ("Operator") to comply with K.A.R. 82-3-602 at the Garden City #1-13 well in Finney County, Kansas. <i>Penalty Order - Lebsack Oil Production Inc.</i>	16-CONS-4042-CPEN	
23	In the matter of the failure of Grunder Oil, LLC ("Operator") to comply with K.A.R. 82-3-608 at the Jenny Lynn #1 well in Stafford County, Kansas. <i>Penalty Order - Grunder Oil, LLC</i>	16-CONS-4043-CPEN	
24	In the matter of the failure of American Warrior, Inc. ("Operator") to comply with K.A.R. 82-3-407 at the KRAFT PRUSA #6-10 and KRAFT PRUSA #2-10 (6-7) in Barton County, Kansas. <i>Penalty Order - American Warrior, Inc.</i>	16-CONS-4044-CPEN	
25	In the matter of the application of Hartman Oil Co., Inc. for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Orval Fine 1 located in the S/2 of the NE/4 of Sec 6-T22S-R33W of Finney County, Kansas. <i>Order Granting Application</i>	16-CONS-3923-CEXC	

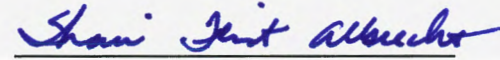
Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
26	In the matter of an Order to Show Cause issued to Steve Angle dba Angle Oil Company ("Operator") regarding responsibility under K.S.A. 55-179 for plugging seven wells in Trego County and one well in Barton County, Kansas. Default Judgment	16-CONS-3892-CSHO	
27	In the Matter of the Application of Midwest Energy, Inc. Seeking Commission Approval to Update Attachment H of its Open Access Transmission Tariff Order Setting Procedural Schedule	16-MDWE-324-TFR	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :


Jay Scott Emler, Chairman


Shari Feist Albrecht, Commissioner


Pat Apple, Commissioner

Attest:


Amy L. Green
Secretary to the Commission